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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 527 Session of  
2003

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INTRODUCED BY BISHOP, CAWLEY, WALKO, LEDERER, DeWEESE, GEIST,  
THOMAS, YOUNGBLOOD, STABACK, DeLUCA, McCALL, PETRARCA,  
READSHAW, McILHATTAN, BUXTON, EACHUS, LAUGHLIN, CREIGHTON,  
BELARDI, BEBKO-JONES, WATSON, MELIO, WANSACZ, GRUITZA,  
S. MILLER, WASHINGTON, TANGRETTI, HERMAN, LEVDANSKY,  
R. STEVENSON, MANN, PALLONE, HUTCHINSON, SOLOBAY, KIRKLAND,  
BELFANTI, TIGUE, DALEY, PISTELLA, WATERS, CIVERA, JAMES,  
YUDICHAK, COSTA, GRUCELA, HARHAI, MANDERINO, ROONEY,  
CORRIGAN, FRANKEL, HORSEY, CRUZ, SAINATO, HENNESSEY, DAILEY,  
BROWNE, HERSHEY AND BARD, FEBRUARY 26, 2003

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REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 26, 2003

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AN ACT

1 Providing for tax incentives for employers who provide child  
2 day-care services for employees.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Employee  
7 Child Day Care Tax Incentive Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Department." The Department of Revenue of the Commonwealth.

13 "Employee." An individual who provides services to another  
14 person in return for compensation. The term includes an

1 independent contractor.

2 "Employee child day care." Care for a preschool child of an  
3 employee during the working hours of the employee.

4 "Employer." A person who receives services from an  
5 individual in return for compensation.

6 "Furnish employee child day care." To do any of the  
7 following:

8 (1) Provide for employee child day care. This paragraph  
9 is met regardless of whether the care is provided on the  
10 premises of the employer.

11 (2) Reimburse an employee for any portion of the cost of  
12 employee child day care.

13 Section 3. Tax credit.

14 (a) Eligibility.--An employer who furnishes employee child  
15 day care is eligible for a tax credit under subsection (b) in  
16 the amount of the employer's cost in furnishing employee child  
17 day care.

18 (b) Use.--An employer who is eligible under subsection (a)  
19 may utilize the tax credit as follows:

20 (1) If the employer is an individual, the credit is  
21 available for the individual against the tax imposed under  
22 Article III of the act of March 4, 1971 (P.L.6, No.2), known  
23 as the Tax Reform Code of 1971.

24 (2) If the employer is a partnership or unincorporated  
25 association, the credit is available on a pro rata basis for  
26 each partner or member against the tax imposed under Article  
27 III of the Tax Reform Code of 1971.

28 (3) If the employer is not subject to taxation under  
29 Article III of the Tax Reform Code, the credit is available  
30 against the applicable tax imposed by the Tax Reform Code of

1        1971.

2    Section 4.    Department.

3        The department shall promulgate regulations to administer  
4    this act.

5    Section 5.    Applicability.

6        This act shall apply to taxable years beginning after  
7    December 31, 2003.

8    Section 6.    Effective date.

9        This act shall take effect in 60 days.